

SIMON ARON (Bar No. 108183)  
WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP  
11400 West Olympic Blvd., Ninth Floor  
Los Angeles, California 90064-1565  
Telephone: (310) 478-4100  
Fax: (310) 479-1422

RS090014

Attorneys for Lone Oak Fund

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FILED  
MAY 14 2009  
CLERK  
United States Bankruptcy Court  
San Jose, California

In re	)	CASE NO. 09-01500-ASW
	)	
BENYAM MULUGETA and PAULA R.	)	Chapter 11
MULUGETA,	)	
	)	
Debtor and Debtor in Possession	)	<b>DECLARATION OF SIMON ARON IN</b>
	)	<b>SUPPORT OF MOTION FOR RELIEF</b>
	)	<b>FROM THE AUTOMATIC STAY</b>
	)	
LONE OAK FUND, LLC,	)	<b>[MOTION FILED CONCURRENTLY]</b>
	)	
Movant,	)	DATE: June 2, 2009
	)	TIME: 2:00 p.m.
v.	)	Courtroom: 3020
	)	280 S. 1 <sup>st</sup> Street
BENYAM MULUGETA and PAULA R.	)	San Jose, CA 95113
MULUGETA	)	
	)	
Respondents.	)	
	)	

**DECLARATION OF SIMON ARON**

# **EXHIBIT J**

**United States Bankruptcy Court  
Northern District of California**

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900Chapter 11

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 17,300,000.00		
B - Personal Property	YES	3	\$ 236,750.00		
C - Property Claimed as Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	5		\$ 11,817,887.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	2		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	7		\$ 353,726.00	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 33,699.00
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 20,530.00
<b>TOTAL</b>		<b>23</b>	<b>\$ 17,536,750.00</b>	<b>\$ 12,171,613.00</b>	

In re: Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE A - REAL PROPERTY**

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
1025 Harker Avenue Palo Alto, CA 94301	Fee Owner	J	\$3,000,000.00	\$2,110,000.00
1112-1114 Chaucer Berkeley, CA 94702	Fee Owner	J	\$ 800,000.00	\$ 625,092.00
1339 Sevier Street Menlo Park, CA 94025	Fee Owner	J	\$ 500,000.00	\$ 427,155.00
2332 Harrison Street Oakland, CA 94612	Fee Owner	J	\$7,000,000.00	\$3,820,705.00
240 E. O'Keefe East Palo Alto, CA 94303	Fee Owner	J	\$2,800,000.00	\$1,637,556.00
353 Grand Avenue Oakland, CA 94612	Fee Owner	J	\$2,800,000.00	\$1,739,115.00
5401 Brann Street Oakland, CA 94619	Fee Owner	W	\$ 400,000.00	\$ 353,567.00

Total &gt; \$17,300,000.00

(Report also on Summary of Schedules.)

In re **Benyam Mulugeta Paula R. Mulugeta**Case No. **09-51900**

Debtors

(If known)

**SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	<input checked="" type="checkbox"/>			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<b>Wells Fargo Bank, Palo Alto WaMu, Palo Alto</b>	<b>J</b>	<b>10,000.00</b>
3. Security deposits with public utilities, telephone companies, landlords, and others.	<input checked="" type="checkbox"/>			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>Household Goods</b>	<b>J</b>	<b>8,000.00</b>
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	<input checked="" type="checkbox"/>			
6. Wearing apparel.		<b>Wearing Apparel</b>	<b>J</b>	<b>3,000.00</b>
7. Furs and jewelry.		<b>Misc. Jewelry</b>	<b>J</b>	<b>6,750.00</b>
8. Firearms and sports, photographic, and other hobby equipment.	<input checked="" type="checkbox"/>			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Lincoln Fin. Group Insurance</b>	<b>J</b>	<b>5,000.00</b>
10. Annuities. Itemize and name each issuer.	<input checked="" type="checkbox"/>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<input checked="" type="checkbox"/>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	<input checked="" type="checkbox"/>			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<input checked="" type="checkbox"/>			
14. Interests in partnerships or joint ventures. Itemize.	<input checked="" type="checkbox"/>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<input checked="" type="checkbox"/>			
16. Accounts receivable.		<b>Note secured by 2nd DOT on Elk Grove property</b>	<b>J</b>	<b>150,000.00</b>
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<input checked="" type="checkbox"/>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<input checked="" type="checkbox"/>			

In re **Benyam Mulugeta Paula R. Mulugeta**Case No. **09-51900**

Debtors

(If known)

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2005 Chrysler Sebring</b>	<b>J</b>	<b>7,000.00</b>
Automobiles, trucks, trailers, and other vehicles and accessories.		<b>2007 Chrysler 300</b>	<b>J</b>	<b>10,000.00</b>
Automobiles, trucks, trailers, and other vehicles and accessories.		<b>Ford Explorer</b>	<b>J</b>	<b>2,000.00</b>
Automobiles, trucks, trailers, and other vehicles and accessories.		<b>Ford truck</b>	<b>J</b>	<b>2,000.00</b>
Automobiles, trucks, trailers, and other vehicles and accessories.		<b>Mercedes Benz 500</b>	<b>J</b>	<b>5,000.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.		<b>Office equipment (Harrison)</b>	<b>J</b>	<b>8,000.00</b>
29. Machinery, fixtures, equipment and supplies used in business.		<b>Appliances (rental properties)</b>	<b>J</b>	<b>20,000.00</b>
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<u>2</u> continuation sheets attached			Total >	\$ 236,750.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)☐ 11 U.S.C. § 522(b)(2)☒ 11 U.S.C. § 522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds  
\$136,875

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
1025 Harker Avenue Palo Alto, CA 94301	C.C.P. § 704.730(a)(2)	75,000.00	3,000,000.00
Household Goods	C.C.P. § 704.020	8,000.00	8,000.00
Lincoln Fin. Group Insurance	C.C.P. § 704.100(b)	5,000.00	5,000.00
Misc. Jewelry	C.C.P. § 704.040	6,750.00	6,750.00
Wearing Apparel	C.C.P. § 704.020	3,000.00	3,000.00



In re Benyam Mulugeta Paula R. MulugetaCase No. 09-51900

Debtors

(If known)

**AMENDED SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.		4th Deed of Trust 2332 Harrison Street Oakland, CA 94612 VALUE \$7,000,000.00				250,000.00	0.00
Aglala Panos 13240 Clairepointe Way Oakland, CA 94619							
ACCOUNT NO. 2008-2009		Property Tax Lien 1112-1114 Chaucer Berkeley, CA 94702 VALUE \$800,000.00				9,500.00	0.00
Alameda County Tax Assessor 1221 Oak Street Oakland, CA 94612							
ACCOUNT NO. 2008-2009		Property Tax Lien 5401 Brann Street Oakland, CA 94619 VALUE \$400,000.00				6,655.00	0.00
Alameda County Tax Assessor 1221 Oak Street Oakland, CA 94612							
ACCOUNT NO. 2008-2009		Statutory Tax Lien 353 Grand Avenue Oakland, CA 94612 VALUE \$2,800,000.00				39,115.00	0.00
Alameda County Tax Assessor 1221 Oak Street Oakland, CA 94612							

4 continuation sheets  
attachedSubtotal >  
(Total of this page)Total >  
(Use only on last page)

\$ 305,270.00	\$ 0.00
\$	\$

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. MulugetaCase No. 09-51900

Debtors

(If known)

**AMENDED SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 2008-2009 Alameda County Tax Assessor 1221 Oak Street Oakland, CA 94612		Property Tax Lien 2332 Harrison Street Oakland, CA 94612  VALUE \$7,000,000.00				70,705.00	0.00
ACCOUNT NO. California Mortgage 62 First Street, 4th Floor San Francisco, CA 94105		2nd Deed of Trust Blanket 2nd Deed of Trust on Grand, O'Keefe, Sevier, Chaucer, Brann properties  VALUE \$1,000,000.00				700,000.00	0.00
ACCOUNT NO. Chrysler Financial P.O. Box 9001921 Louisville, KY 40290		Security Agreement 2007 Chrysler 300  VALUE \$10,000.00				11,844.00	1,844.00
ACCOUNT NO. Countrywide Home Loans P.O. Box 5170 Simi Valley, CA 93062		1st Deed of Trust 5401 Brann Street Oakland, CA 94619  VALUE \$400,000.00				346,912.00	0.00
ACCOUNT NO. EMC P.O. Box 660753 Dallas, TX 75266		1st Deed of Trust 1112-1114 Chaucer Berkeley, CA 94702  VALUE \$800,000.00				615,592.00	0.00

Sheet no. 1 of 4 continuation  
sheets attached to Schedule of  
Creditors Holding Secured  
ClaimsSubtotal >  
(Total of this page)Total >  
(Use only on last page)

\$ 1,745,053.00	\$ 1,844.00
\$	\$

(Report also on Summary of  
Schedules) (If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and  
Related Data.)

In re Benyam Mulugeta Paula R. MulugetaCase No. 09-51900

Debtors

(If known)

**AMENDED SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.			1st Deed of Trust 1339 Sevier Street Menlo Park, CA 94025  VALUE \$500,000.00				425,000.00	0.00
EMC P.O. Box 660753 Dallas, TX 75266								
ACCOUNT NO.		J	1st Deed of Trust 2332 Harrison Street Oakland, CA 94612  VALUE \$7,000,000.00				3,500,000.00	0.00
Loan Oak Fund 11611 San Vicente Blvd. #640 Los Angeles, CA 90049								
ACCOUNT NO.			2nd Deed of Trust 2nd Deed of Trust on O'Keefe and Harrison properties  VALUE \$200,000.00				200,000.00	0.00
Robert Taylor 541-B Cowper Palo Alto, CA								
ACCOUNT NO. 2008-2009			Property Tax Lien 240 E. O'Keefe East Palo Alto, CA 94303  VALUE \$2,800,000.00				37,556.00	0.00
San Mateo County Tax Assessor 555 County Center, 1st Floor Redwood City, CA 94063								
ACCOUNT NO. 2008-2009			Property Tax Lien 1339 Sevier Street Menlo Park, CA 94025  VALUE \$500,000.00				2,155.00	0.00
San Mateo County Tax Assessor 555 County Center, 1st Floor Redwood City, CA 94063								

Sheet no. 2 of 4 continuation  
sheets attached to Schedule of  
Creditors Holding Secured  
Claims

Subtotal >  
(Total of this page)

Total >  
(Use only on last page)

\$ 4,164,711.00	\$ 0.00
\$	\$

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. MulugetaCase No. 09-51900

Debtors

(If known)

**AMENDED SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.							
Sequoia Mortgage 1114 Irwin Street San Rafael, CA 94901		2nd/3rd/4th Deed of Trust 1025 Harker Avenue Palo Alto, CA 94301  VALUE \$3,000,000.00				610,000.00	0.00
ACCOUNT NO.							
Sonoma Bank P.O. Box 6089 Santa Rosa, CA 95406		1st Deed of Trust 240 E. O'Keefe East Palo Alto, CA 94303  VALUE \$2,800,000.00				1,600,000.00	0.00
ACCOUNT NO.							
Sonoma Bank P.O. Box 6089 Santa Rosa, CA 95406		1st Deed of Trust 353 Grand Avenue Oakland, CA 94612  VALUE \$2,800,000.00				1,700,000.00	0.00
ACCOUNT NO.							
Tomoko Nakama 1569 Jackson Street Oakland, CA 94612		3rd Deed of Trust 3rd Deed of Trust on Harrison and Grand properties  VALUE \$185,000.00				185,000.00	0.00
ACCOUNT NO.							
Wachovia Dealer Services P.O. Box 25341 Santa Ana, CA 92799		Security Agreement 2005 Chrysler Sebring  VALUE \$7,000.00				7,853.00	853.00

Sheet no. 3 of 4 continuation sheets attached to Schedule of Creditors Holding Secured Claims

Subtotal >  
(Total of this page)Total >  
(Use only on last page)

\$ 4,102,853.00	\$ 853.00
\$	\$

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. MulugetaCase No. 09-51900

Debtors

(If known)

**AMENDED SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.  Washington Mutual Bank P.O. Box 78148 Phoenix, AZ 85062		1st Deed of Trust 1025 Harker Avenue Palo Alto, CA 94301  VALUE \$3,000,000.00				1,500,000.00	0.00

Sheet no. 4 of 4 continuation  
sheets attached to Schedule of  
Creditors Holding Secured  
Claims

Subtotal >  
(Total of this page)

Total >  
(Use only on last page)

\$ 1,500,000.00	\$ 0.00
\$ 11,817,887.00	\$ 2,697.00

(Report also on Summary of  
Schedules)

(If applicable, report  
also on Statistical  
Summary of Certain  
Liabilities and  
Related Data.)

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

☐ **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900  
(If known)**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO.									<b>\$0.00</b>

Sheet no. 1 of 1 continuation sheets attached to Schedule of  
Creditors Holding Priority ClaimsSubtotals >  
(Totals of this page)

\$	0.00	\$	0.00	\$	0.00
\$	0.00				
		\$	0.00	\$	0.00

Total >  
(Use only on last page of the completed  
Schedule E. Report also on the Summary of  
Schedules.)Total >  
(Use only on last page of the completed  
Schedule E. If applicable, report also on the  
Statistical Summary of Certain Liabilities and  
Related Data. )

In re **Benyam Mulugeta Paula R. Mulugeta**

Debtors

Case No. **09-51900**

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>4870.....6623</b> <b>Bank of America</b> <b>P.O. Box 14726</b> <b>Wilmington, DE 19886</b>	<b>W</b>	Credit card debt				<b>11,827.00</b>
ACCOUNT NO. <b>4305.....4415</b> <b>Capital One</b> <b>P.O. Box 60024</b> <b>City of Industry, CA 91716</b>	<b>W</b>	Credit card debt				<b>6,359.00</b>
ACCOUNT NO. <b>4802.....1482</b> <b>Capital One</b> <b>P.O. Box 60024</b> <b>City of Industry, CA 91716</b>	<b>H</b>	Credit card debt				<b>10,558.00</b>
ACCOUNT NO. <b>5291.....8732</b> <b>Capital One</b> <b>P.O. Box 60024</b> <b>City of Industry, CA 91716</b>	<b>W</b>	Credit card debt				<b>5,595.00</b>
ACCOUNT NO. <b>5291.....8732</b> <b>Capital One</b> <b>P.O. Box 60024</b> <b>City of Industry, CA 91716</b>	<b>W</b>	Credit card debt				<b>6,595.00</b>

6 Continuation sheets attached

Subtotal > \$ **40,934.00**

Total &gt;

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)



In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>5291.....1659</b>  <b>Capital One</b> <b>P.O. Box 60024</b> <b>City of Industry, CA 91716</b>	<b>W</b>	<b>Credit card debt</b>				<b>8,536.00</b>
ACCOUNT NO. <b>4227.....1073</b>  <b>Chase</b> <b>P.O. Box 94014</b> <b>Palatine, IL 60094</b>	<b>W</b>	<b>Credit card debt</b>				<b>2,062.00</b>
ACCOUNT NO. <b>4388.....7798</b>  <b>Chase / United</b> <b>P.O. Box 94014</b> <b>Palatine, IL 60094</b>	<b>W</b>	<b>Credit card debt</b>				<b>8,310.00</b>
ACCOUNT NO. <b>4266.....7529</b>  <b>Chase/Disney</b> <b>P.O. Box 94014</b> <b>Palatine, IL 60094</b>	<b>W</b>	<b>Credit card debt</b>				<b>6,076.00</b>
ACCOUNT NO. <b>734.....335</b>  <b>Chevron</b> <b>P.O. Box 530950</b> <b>Atlanta, GA 30353</b>	<b>H</b>	<b>Credit card debt</b>				<b>2,619.00</b>

Sheet no. 1 of 5 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal >	\$ <b>27,603.00</b>
Total >	\$

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODESTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>5466.....0510</b>  <b>Citi</b> <b>P.O. Box 6415</b> <b>The Lakes, NV 88901</b>	<b>W</b>	<b>Credit card debt</b>				<b>3,586.00</b>
ACCOUNT NO. <b>5082.....7978</b>  <b>Citi</b> <b>P.O. Box 6410</b> <b>The Lakes, NV 88901</b>	<b>W</b>	<b>Credit card debt</b>				<b>3,827.00</b>
ACCOUNT NO. <b>500293</b>  <b>Cupertino Dental</b> <b>10383 Torre Avenue #1</b> <b>Cupertino, CA 95014</b>	<b>H</b>	<b>Services</b>				<b>3,399.00</b>
ACCOUNT NO. <b>4264.....6675</b>  <b>Downey</b> <b>P.O. Box 15725</b> <b>Wilmington, DE 19886</b>	<b>H</b>	<b>Credit card debt</b>				<b>29,922.00</b>
ACCOUNT NO. <b>6035.....0087</b>  <b>Expo</b> <b>P.O. Box 6028</b> <b>The Lakes, NV 88901</b>	<b>H</b>	<b>Credit card debt</b>				<b>2,465.00</b>

Sheet no. 2 of 6 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal > \$ **43,199.00**

Total &gt; \$

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>6035.....7281</b>  Home Depot P.O. Box 6028 The Lakes, NV 88901	<b>H</b>	Credit card debt				841.00
ACCOUNT NO. <b>6035.....1029</b>  Home Depot P.O. Box 6028 The Lakes, NV 88901	<b>W</b>	Credit card debt				5,953.00
ACCOUNT NO. <b>6035.....4243</b>  Home Depot P.O. Box 6028 The Lakes, NV 88901	<b>H</b>	Credit card debt				430.00
ACCOUNT NO. <b>8192.....2321</b>  Lowe's P.O. Box 530914 Atlanta, GA 30353	<b>H</b>	Credit card debt				1,965.00
ACCOUNT NO. <b>4309.....7121</b>  Macy's P.O. Box 689194 Des Moines, IA 50368	<b>J</b>	Credit card debt				9,054.00

Sheet no. 3 of 6 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal >	\$ <b>18,243.00</b>
Total >	\$

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re **Benyam Mulugeta Paula R. Mulugeta**

Debtors

Case No. **09-51900**

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>4402.....5661</b>  <b>Macy's</b> <b>P.O. Box 689194</b> <b>Des Moines, IA 50368</b>	<b>J</b>	<b>Credit card debt</b>				<b>1,678.00</b>
ACCOUNT NO. <b>4801.....9422</b>  <b>Macy's</b> <b>P.O. Box 689194</b> <b>Des Moines, IA 50368</b>	<b>W</b>	<b>Credit card debt</b>				<b>1,377.00</b>
ACCOUNT NO. <b>930.....030</b>  <b>Mervyn's</b> <b>P.O. Box 960013</b> <b>Orlando, FL 32896</b>	<b>W</b>	<b>Credit card debt</b>				<b>445.00</b>
ACCOUNT NO. <b>CC-6064-1</b>  <b>Omni Cancun</b> <b>Blvd. Kukulcan Km. 16.5 Z.H.</b> <b>Cancun, Q. Roo, C.P. 77500</b> <b>MEXICO</b>	<b>J</b>	<b>Time share debt</b>				<b>20,665.00</b>
ACCOUNT NO. <b>7276</b>  <b>Reed Kaplan MD</b> <b>825 Oak Grove Ave. #A-101</b> <b>Menlo Park, CA 94025</b>	<b>H</b>	<b>Services</b>				<b>458.00</b>

Sheet no. 4 of 6 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal > \$ **24,623.00**

Total &gt; \$

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>5049....8138</b> <b>Sears</b> <b>P.O. Box 6937</b> <b>The Lakes, NV 88901</b>	<b>W</b>	<b>Credit card debt</b>				<b>1,496.00</b>
ACCOUNT NO. <b>926.....977</b> <b>Target</b> <b>P.O. Box 59317</b> <b>Minneapolis, MN 55459</b>	<b>W</b>	<b>Credit card debt</b>				<b>600.00</b>
ACCOUNT NO. <b>610.....172</b> <b>Union 76</b> <b>P.O. Box 689058</b> <b>Des Moines, IA 50368</b>	<b>H</b>	<b>Credit card debt</b>				<b>892.00</b>
ACCOUNT NO. <b>582.....314</b> <b>Union 76</b> <b>P.O. Box 689058</b> <b>Des Moines, IA 50368</b>	<b>W</b>	<b>Credit card debt</b>				<b>1,106.00</b>
ACCOUNT NO. <b>4031.....2745</b> <b>Washington Mutual</b> <b>P.O. Box 660487</b> <b>Dallas, TX 75266</b>	<b>W</b>	<b>Credit card debt</b>				<b>6,139.00</b>

Sheet no. 5 of 6 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal > \$ **10,233.00**

Total &gt;

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>703.....546</b>  <b>Washington Mutual</b> <b>P.O. Box 78065</b> <b>Phoenix, AZ 85062</b>		<b>J</b>					<b>161,527.00</b>
ACCOUNT NO. <b>4465.....7137</b>  <b>Wells Fargo</b> <b>P.O. Box 30086</b> <b>Los Angeles, CA 90030</b>		<b>W</b>	<b>Credit card debt</b>				<b>3,213.00</b>
ACCOUNT NO. <b>5474.....0411</b>  <b>Wells Fargo</b> <b>P.O. Box 54349</b> <b>Los Angeles, CA 90054</b>		<b>H</b>	<b>Credit card debt</b>				<b>24,151.00</b>

Sheet no. 6 of 6 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal >	\$ <b>188,891.00</b>
Total >	\$ <b>353,726.00</b>

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re: Benyam Mulugeta Paula R. Mulugeta  
DebtorsCase No. 09-51900  
(If known)**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
Salomon Readie P.O. Box 407 Palo Alto, CA 94302	Purchase Agreement for 1111 Alma Street, Palo Alto, CA; Mulugeta took title for property rehabilitation, but parties agreed to reconvey title to Readie given lack of property equity

In re: Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(if known)

## SCHEDULE H - CODEBTORS

☒ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
------------------------------	------------------------------



In re **Benyam Mulugeta Paula R. Mulugeta**Case No. **09-51900**

Debtors

(If known)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status: <b>Married</b>	<b>DEPENDENTS OF DEBTOR AND SPOUSE</b>	
	RELATIONSHIP(S):	AGE(S):
<b>Employment:</b>	<b>DEBTOR</b>	<b>SPOUSE</b>
Occupation	<b>Real Estate Broker</b>	<b>Accountant</b>
Name of Employer	<b>Alain Pinel Realtor</b>	<b>laid off 3/6/09</b>
How long employed	<b>10 years</b>	<b>14 years</b>
Address of Employer	<b>578 University Avenue Palo Alto, CA</b>	

INCOME: (Estimate of average or projected monthly income at time case filed)

DEBTOR

SPOUSE

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly.)	\$ <u>0.00</u>	\$ <u>0.00</u>
2. Estimate monthly overtime	\$ <u>0.00</u>	\$ <u>0.00</u>
3. SUBTOTAL	\$ <u>0.00</u>	\$ <u>0.00</u>
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ <u>0.00</u>	\$ <u>0.00</u>
b. Insurance	\$ <u>0.00</u>	\$ <u>0.00</u>
c. Union dues	\$ <u>0.00</u>	\$ <u>0.00</u>
d. Other (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <u>0.00</u>	\$ <u>0.00</u>
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ <u>0.00</u>	\$ <u>0.00</u>
7. Regular income from operation of business or profession or farm (Attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
8. Income from real property	\$ <u>32,325.00</u>	\$ <u>0.00</u>
9. Interest and dividends	\$ <u>0.00</u>	\$ <u>0.00</u>
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ <u>0.00</u>	\$ <u>0.00</u>
11. Social security or other government assistance (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
12. Pension or retirement income	\$ <u>0.00</u>	\$ <u>1,374.00</u>
13. Other monthly income (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
14. SUBTOTAL OF LINES 7 THROUGH 13	\$ <u>32,325.00</u>	\$ <u>1,374.00</u>
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ <u>32,325.00</u>	\$ <u>1,374.00</u>
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)	\$ <u>33,699.00</u>	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document.:

**Re-renting Harrison and Grand properties will add \$71,000/mo in additional income**



In re Benyam Mulugeta Paula R. Mulugeta

Debtors

Case No. 09-51900

(if known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information, and belief.

25

Date:

4/8/09

Signature:

Benyam Mulugeta  
Debtor

Date:

4/8/09

Signature:

Paula R. Mulugeta  
(Joint Debtor, if any)

[If joint case, both spouses must sign]

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP  
(NOT APPLICABLE)

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.